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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 JEROME TALLEY,

9 Plaintiff,

10 v.

11 JIM ROGERS,

12 Defendant.

Case No. 08-1761-TSZ-JPD

ORDER OF DISMISSAL

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14 THIS MATTER comes before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge James P. Donohue, docket no. 3. The R&R recommends dismissal of the
15 complaint in this matter because the complaint fails to allege sufficient facts to place defendant
16 on notice of the nature of plaintiff’s claims and the complaint names as a defendant a state
17 court judge, who enjoys immunity from suit. The R&R directed plaintiff to lodge an amended
18 complaint if he believed the deficiencies outlined in the R&R could be cured. In response,
19 plaintiff has filed an amended complaint, docket no. 5, but he has not submitted any objections
20 to the R&R. The Court has reviewed the amended complaint and concludes that plaintiff has
21 failed to cure the deficiencies identified in the R&R. Plaintiff continues to assert claims only
22 against King County Superior Court Judge Jim Rogers for actions taken during the course of
23 his judicial duties as to which he enjoys immunity from suit. The Court therefore ORDERS:
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25 (1) The Report and Recommendation, docket no. 3, is ADOPTED;

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1 (2) Plaintiff's complaint and amended complaint are DISMISSED pursuant to 28
2 U.S.C. § 1915(e)(2)(B). As a result, plaintiff's IFP application is DENIED as
3 moot.

4 (3) The Clerk is directed to send copies of this Order to plaintiff pro se and to
5 Magistrate Judge Donohue.

6 DATED this 13th day of January, 2009.

7
8 s/ Thomas S. Zilly

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10 THOMAS S. ZILLY
11 United States District Judge
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